



UNITED STATES  
**CONSUMER PRODUCT SAFETY COMMISSION**  
4330 EAST WEST HIGHWAY BETHESDA, MD 20814  
**COMMISSIONER MARY T. BOYLE**

**Commissioner Mary T. Boyle Statement on Battery Ingestion NPR and Action Needed by  
ASTM Toy Safety Subcommittee**

**January 26, 2023**

Yesterday, I voted to take action to protect young children from serious hazards caused by everyday products found throughout our homes: button and coin cell batteries. If swallowed or inserted into an ear or nose, these small batteries can cause life threatening injuries and death.

By advancing a Notice of Proposed Rulemaking (NPR) that would establish safety standards and require prominent warning labels, we are taking an important step to implement legislation known as Reese's Law, named for 18-month-old Reese Hamsmith, who tragically lost her life after swallowing a button battery. I look forward to reviewing the public comments on the package and moving expeditiously to put a strong standard in place.

I am also sending a [letter](#) urging the ASTM F963 Subcommittee to act swiftly to strengthen the battery access and labeling requirements in the Toy Standard. In conducting the analysis underlying the proposed rule, CPSC staff determined that the toy standard came up short in multiple areas. For example, as explained in the staff package, ASTM F963 lacks sufficient design requirements and use-and-abuse testing for ensuring secure battery compartments. The warning labels required by the standard also do not adequately indicate the harms associated with ingestion.

The consequences of these gaps are evident in the incident data compiled for the NPR. Parents should be able to trust the toys they give their children are safe. I will continue to monitor the ASTM process to ensure progress is being made to address these issues. I am committed to using CPSC's authority to provide the highest level of protection for children from battery ingestion hazards created by all consumer products, including toys.

I am grateful to Commission staff for their work on this package and want to express my deepest gratitude to Trista Hamsmith for her tireless work on Reese's Law and her commitment, in memory of her daughter, to protecting all children.